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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,446	03/31/2004	Jenda Jao	3304.2.125	5458
21999	7590	11/13/2007		
KIRTON AND MCCONKIE 60 EAST SOUTH TEMPLE, SUITE 1800 SALT LAKE CITY, UT 84111			EXAMINER MCLEOD, MARSHALL M	
			ART UNIT 4152	PAPER NUMBER
			MAIL DATE 11/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/814,446

Applicant(s)

JAO ET AL.

Examiner

Marshall McLeod

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-21 are pending in this application.

Priority

2. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a certified English translation of the foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the non-English application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldberg, (Patent No US 7093193 B1).

5. With respect to claim 1, Goldberg discloses a web-page processing method (Column 1, lines 64-66), comprising steps of:

- a. parsing web-page data to locate a first portion of contents associated with a server-side command (Column 1, lines 36-39; Column 2, lines 12-13; Column 3, lines 35-37);
- b. recording storage information of said first portion of contents in a database as a first index data (Column 2, lines 12-13; Column 3, lines 45-46); and
- c. outputting said first portion of contents to a server when said first index data is referred to in response to a read command of said server (Column 2, lines 13-18).

6. With respect to claim 2, Goldberg discloses wherein said parsing step further locates a second portion of contents associated with a client-side command (Column 3, lines 10-11), and the method further comprises steps of:

- a. recording storage information of said second portion of contents in said database as a second index data (Column 5, lines 36-50, i.e. may reside as files of a file system stored in appropriate storage devices at the local computer); and
- b. outputting said second portion of contents to said server when said second index data is referred to in response to said read command of said server (Column 5, lines 51-56, i.e.

... string template pages resides at the remote computer that conforms to HTML standards. It is to be appreciated that ... the local computer may be capable of browsing documents).

7. With respect to claim 3, Goldberg discloses wherein said first portion of contents is a first command block including one or more continuous server-side commands (Column 1, lines 36-43), and said second portion of contents is a second command block including one or more continuous client-side commands (Column 2, lines 13-18).

8. With respect to claim 4, Goldberg discloses wherein said first and second command blocks are immediately adjacent to each other (Column 6, lines 62-67).

9. With respect to claim 5, Goldberg discloses executing said first command block by said sever, and outputting the executing result to web-page request means (Column 2, lines 2-15); and outputting said second command block to said web-page request means without being executed by said server (Column 5, lines 5-8).

10. With respect to claim 6, Goldberg discloses wherein said web-page request means is a browser of a client's side (Column 5, lines 51-56).

11. With respect to claim 7, Goldberg discloses wherein said client-side command is written in a Hyper Text Markup language (HTML) (Column 1, lines 36-37).

12. With respect to claim 8, Goldberg discloses wherein said first and second index data are stored in said database as an array or a linking list, and are referred to according to the filename of the processed web page and a file allocation table associated with an operating system of said server (Column 3, lines 23-30; Column 4, lines 60-63).

13. With respect to claim 9, Goldberg discloses wherein said first and second index data include one or more items selected from a group consisting of a command- identifying code, starting address of said storage position, end address of said storage position and total length of said first portion of contents (Column 3, lines 43-51).

14. With respect to claim 10, Goldberg discloses wherein said web-page data is converted from a web page written in a markup language compatible with a standard generalized markup language (SGML) and have a specified format of a common programmatic language (Column 2, lines 2-20).

15. With respect to claim 12, Goldberg discloses a web-page processing method, comprising steps of:

- a. building an index file of a web page, wherein information of a first command block including one or more continuous server-side commands and a second command block including one or more continuous client-side commands are recorded (Column 3, lines 52-67);

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- b. referring to said index file in response to a web-page read request (Column 3, lines 56-67);
- c. locating and outputting said first command block to a server according to information of said first command block recorded in said index file (Column 4, lines 57-64); and
- d. locating and outputting said second command block to said server according to information of said second command block recorded in said index file (Column 4, lines 57-64).

17. With respect to claim 13, Goldberg discloses executing said first command block by said sever, and outputting the executing result to web-page request means (Column 5, lines 66-67; Column 6, lines 1-9); and outputting said second command block to said web-page request means without being executed by said server (Column 5, lines 5-8).

18. With respect to claim 14, Goldberg discloses wherein said client-side command is written in a Hyper Text Markup language (HTML) (Column 2, lines 5-20).

19. With respect to claim 15, Goldberg discloses wherein contents of said web page are stored in a database in a common programmatic language format (Column 7, lines 37-47).

20. With respect to claim 16, Goldberg discloses wherein said information of said first command block and said second command block include one or more items selected from a group consisting of a command-identifying code, starting address of said storage position, end

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address of said storage position and total length of said first portion of contents (Column 3, lines 43-51).

21. With respect to claim 17, Goldberg discloses wherein said index file is stored in said database in an array or a linking list format (Column 3, lines 25-29; Column 4, lines 60-63).

22. With respect to claim 18, Goldberg discloses wherein said index file is referred to in response to said web-page read request according to the filename of said web page and a file allocation table associated with an operating system of said server (Column 3, lines 23-30).

23. With respect to claim 19, Goldberg discloses a web-page processing method, comprising steps of:

- a. referring to an index file which records therein respective storage information of server-side and client-side commands of a specific web page in a database in response to a read request from web-page requesting means (Column 3 lines 52-67);
- b. locating and outputting said server-side and said client-side commands to a server according to said storage information recorded in said index file respectively (Column 3, lines 52-65);
- c. executing said server-side command by said server (Column 3, lines 52-54); and
- d. outputting said specific web page from said server to said web-page requesting means (Column 3, lines 52-58).

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24. With respect to claim 20, Goldberg discloses wherein said specific web page is parsed to distinguish a first command block including one or more continuous server-side commands from a second command block including one or more continuous client-side commands, and storage information of said first and second command blocks in said database are recorded in said index file (Column 3, lines 6-30).

25. With respect to claim 21, Goldberg discloses wherein said specific web page outputted from said server to said web-page requesting means includes contents associated with the executing result of said server-side command and contents associated with the client-side command without being executed by said server (Column 5, lines 1-8).

26. Claims 1, 12 and 19 are further rejected as the applicant admitted prior art (AAPA) reads on the limitation of the claims.

27. With respect to claim 1, AAPA discloses a web-page processing method (Figure 3; Page1, [0009], lines 1-2), comprising steps of:

- a. parsing web-page data to locate a first portion of contents associated with a server-side command (Page 2, [0011], lines 1-5);
- b. recording storage information of said first portion of contents in a database as a first index data (Page 1, [0007], lines 5-14); and

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- c. outputting said first portion of contents to a server when said first index data is referred to in response to a read command of said server (Figure 1; Page 1, [0008], lines 1-8).

28. With respect to claim 12, AAPA discloses a web-page processing method (Figure 3; Page1, [0009], lines 1-2), comprising steps of:

- a. building an index file of a web page, wherein information of a first command block including one or more continuous server-side commands and a second command block including one or more continuous client-side commands are recorded (Figure 2; Page 1, [0007], lines 1-14) ;
- b. referring to said index file in response to a web-page read request (Figure 1; Page 1, [0008], lines 1-8);
- c. locating and outputting said first command block to a server according to information of said first command block recorded in said index file (Figure 1; Page 1, [0008], lines 6-10); and
- d. locating and outputting said second command block to said server according to information of said second command block recorded in said index file (Figure 1; Page 1, [0008], lines 10-16).

29. With respect to claim 19, AAPA discloses a web-page processing method (Figure 3; Page1, [0009], lines 1-2), comprising steps of:

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- a. referring to an index file which records therein respective storage information of server-side and client-side commands of a specific web page in a database in response to a read request from web-page requesting means (Figure 1; Page 1, [0008], lines 1-8);
- b. locating and outputting said server-side and said client-side commands to a server according to said storage information recorded in said index file respectively (Figure 1; Page 1, [0008], lines 6-10);
- c. executing said server-side command by said server (Figure 1; Page 1, [0008], lines 1-6); and
- d. outputting said specific web page from said server to said web-page requesting means (Figure 1; Page 1, [0008], lines 1-10).

Claim Rejections - 35 USC § 103

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. **Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg, in view of Lieberman (Patent No US 6516349 B1).**

32. With respect to claim 11, Goldberg does not disclose wherein said server-side command is constructed by Server Side Includes (SSI), Command Gateway Interface (CGI), Active Server Pages (ASP) or Perl Hypertext Processor (PHP) technology. However, Lieberman discloses

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wherein said server-side command is constructed by Server Side Includes (SSI), Command Gateway Interface (CGI), Active Server Pages (ASP) or Perl Hypertext Processor (PHP) technology (Column 1, lines 40-51). It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the teachings of Goldberg with that of Lieberman. Because as the internet grows and more dynamic and constant updated content is offered the server has to adapt to handle that content.

Conclusion

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Sethi, Bhupinder S. et al. (Pub No. US 20040088375 A1) teaches mechanisms for prefetching without requiring parsing of a Web page.
- b. Bowman-Amuah; Michel K. (Patent No. US 6615253 B1) teaches a system, method, and article of manufacture are provided for efficiently retrieving data.
- c. Durham; Peter Emmanuel (Patent No. US 6330566 B1) teaches a system and method for reducing browser latency in customized web page production through caching in one or more client-stored tokens a compressed representation of a core set of user information preferences.
- d. Tomita; Hisashi et al. (Patent No. US 5954795 A) teaches an information apparatus is disclosed in which a network can be used less frequently so as to reduce the load to the network.

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34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marshall McLeod whose telephone number is (571) 270-3808.

The examiner can normally be reached on Monday - Friday 7:30 a.m-5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.M. 11/6/2007


NABIL M. EL-HADY
SUPERVISORY PATENT EXAMINER